

Pursuant to due call and notice thereof, a City Council meeting was duly held at City Hall on the 1st day of October 2007
at 6:30 pm.

THE FOLLOWING MEMBERS WERE PRESENT:

John Grutsch Mayor, Daryl Rachey, Hugh Knox, Al Ernst, Terry Pflipsen – Councilors
Jodi Austing-Traut Clerk/Administrator
Absent: None

The meeting was called to order by Mayor Grutsch and the Pledge of Allegiance was said.

WORKSHOP

There was discussion about Avon Township and Collegeville Township Facilities Contribution and how to proceed with facilities planning.

Leroy Gondringer of Avon Township expressed some interest in discussing the potential for providing office space for the Township, as well as meeting space, and providing support for the Fire Department facilities.

A representative of Collegeville Township indicated that although they are interested in helping to support the Fire Department Facilities, they would not necessarily be willing to contribute anything beyond what they are currently putting into the capital improvements fund for a needs study. The Fire Board met last January and discussed using any money that was received by collecting on fire/rescue calls toward the space/needs study.

Richard Bresnahan questioned whether the Townships would have any input on the architectural firm chosen and other processes related to the facility upgrades. Mayor Grutsch suggested that the Fire Board participate in that type of capacity.

Dennis Marinowski of Boonestroo was present to help answer some questions about the facilities planning process. Mr. Marinowski suggested that the space needs study would take about 3 months to complete.

PUBLIC ACCESS FORUM: No one present.

CONSENT AGENDA

1. Council Minutes of 9/10
2. Planning Commission Minutes of 9/18
3. FD Minutes of August and September
4. Claims Register and Monthly Expenditures/Revenues
5. Capital Expenditures, Legal Fees, Engineering Fees Detailed Reports
6. Accept resignation of Christine Panek from EDA
7. Authorize Staff to advertise for EDA position
8. Approve Gambling Permit for Avon Women of Today Bingo 11-18-07
9. Approve Future Land Use Map as recommended by Planning Commission Minutes of 9-18-07

Motion Daryl Rachey to approve consent agenda, second Al Ernst and carried unanimously.

COUNCIL BUSINESS

Randy Jenniges, S.E.H.

Water's Edge III Action Items

1. Approve Pay Request #3 Larson Excavating \$158,393.47
2. Resolution 07-749 Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment
3. Resolution 07-750 Calling Hearing on Proposed Assessment

Motion Al Ernst to approve Waters Edge III action items 1,2,3, second Terry Pflipsen and carried unanimously.

Avon Estates Action Items

4. Change Order #4 Chinook Ave Extension
5. Pay Request #2 Nodland Excavating \$916,249.29
6. Avon Estates Phase I Resolution 07-751 Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment
7. Avon Estates Phase I Resolution 07-752 Calling Hearing on Proposed Assessment
8. Avon Estates Trunk Improvements Resolution 07-753 Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment
9. Avon Estates Trunk Improvements Resolution 07-754 Calling Hearing on Proposed Assessment
10. Change Order No.5 for: muck excavation, on-site borrow, remove concrete, septic pumping. This results in a \$139,984.14 increase in contract price.

Randy Jenniges explained that he has been very pleased with the progress on Avon Estates. Plans are still to have first lift of asphalt on this fall. Lift station has been set. Things are going very well.

Motion Daryl Rachey to approve Avon Estates action items 4,5,6,7, 8, 9 and 10 second Terry Pflipsen and carried unanimously.

Chinook Avenue Reconstruction Action Items

David Drown explained that although the council adopted a similar Resolution a month or so ago, there was a council member absent from the meeting and state statute requires that 100% of full council vote unanimously on a street reconstruction program.

Motion Al Ernst to adopt Resolution 07-755 Adopting a Street Reconstruction Plan and Approving the Issuance of General Obligation Street Reconstruction Bonds, second Daryl Rachey and carried unanimously.

Council consideration of a Resolution accepting proposal on the sale of \$500,000 G.O. Reconstruction Bonds Series 2007D, providing for their issuance and levying a tax for the payment thereof. United Banker's Bank was the low bidder at a rate of 4.26% which was within .1% of estimate.

Motion Terry Pflipsen to approve Resolution 07-756 Accepting Proposal on the Sale of \$500,000 G.O. Reconstruction Bonds Series 2007D, providing for their issuance and levying a tax for the payment thereof, second Daryl Rachey and carried unanimously.

Chinook will be built as a 7-ton road. There will need to be spring road restrictions put in place and enforced. The Streets Department will need to post road restrictions and notify those known to be affected in advance so they can prepare.

Mr. Jenniges explained that he and Public Works Director Ray Schmidt had been approached by a representative of St. Benedict's Church of Avon with their request to have curbside handicapped parking stalls integrated into the plan. The council agreed to this, however, Mr. Jenniges stated that the church should be made aware that the drivers wishing to park in this area would have to be made to get out directly onto the curb.

ADMINISTRATIVE

TABLED from 9/10/07 Meeting: 5% SW rate increase

There was discussion about potentially raising sewer rates in order to make sure the city keeps up with cost increases related to the sewer system. Rather than wait and have a larger increase in a few years, the council discussed being proactive and doing smaller incremental increases to stay ahead of inflation.

Motion Daryl Rachey to increase sewer rates by 5% effective January 1st 2008, second Terry Pflipsen and carried unanimously.

TABLED from 9/10/07: MOU with Lumber One

Revisions have been made by the city attorney per discussions at the 9-10-07 meeting. The revised MOU has been reviewed by Lumber One as well.

Motion John Grutsch to approve the Memorandum of Understanding with Lumber One Avon, second Hugh Knox and carried unanimously.

ISSUES BY STAFF

Ray Schmidt: Written Report

Stratford Association representatives were present to request to partner with the city to provide electricity for an underground sprinkling system. Staff will further research liability, metering, and feasibility.

Three phase power poles on CR 9 were originally planned to be placed on the east side (in front of the school). Mayor Grutsch explained that Xcel's design provides for the poles to be placed up against the trail, which would result in very little light being shed onto the street itself. Mayor Grutsch also questioned rhetorically why Bruce Powell of Xcel stated that the city should avoid placing the lines underground due to unreliability given that when Mayor Grutsch questioned some of the Xcel workers on site, they indicated that it would have been a good idea to place the lines underground. Mayor Grutsch suggested that Ray Schmidt speak with Bruce Powell to inquire as to whether the design can be changed.

Corey Nellis: Written Report

The city has been made aware of an event that was allegedly sponsored by Joseph's Fine Dining and was held at the Lion's Park at which a potential liquor license violation may have occurred.

Motion Terry Pflipsen to notify the owners of Joseph's of an alleged liquor license violation and to call a public hearing for November 5th, second Hugh Knox motion failed with Grutsch, Knox, Rachey, Ernst, and Pflipsen against.

Council consensus to direct staff to notify Joseph's that the council is reviewing an alleged liquor ordinance violation and requesting a written response from Joseph's by October 10th prior to the council taking action.

People Service: Written Report

Mayor Grutsch asked that People Service provide in their monthly council report, the scheduled maintenance items for the following month.

Breach of Contract Issue and Letter from City Attorney

Dan Wroge explained that People Service has been pumping influent into the pond. Mayor Grutsch stated that had it not been for the many inches of rain we received in the past month, the pond levels would still be quite low. Dan Wroge agreed that the rain has helped.

ISSUES BY COUNCIL

Mayor Grutsch indicated that the county would like to review the city's emergency management plan. Terry Pflipsen is the city's civil defense director and will meet with them to go over the plan.

Motion Hugh Knox to adjourn at 9:28 second John Grutsch and carried unanimously.

Respectfully Submitted by,
Jodi Austing-Traut
City Clerk/Administrator